

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DINO CONSTANCE,

No. 3:15-cv-05426-RAJ

Petitioner,

v.

ORDER

DONALD HOLBROOK,

Defendant.

**I. INTRODUCTION**

This matter comes before the Court on Petitioner Dino Constance's ("Petitioner") motion for an extension to file a motion for reconsideration on the Court's Order Denying Petitioner's Motion to Appoint Counsel. Dkt. # 98. On February 26, 2021, Petitioner, proceeding *pro se* while incarcerated, moved the Court for a 21-day extension to file a motion for reconsideration on the Court's order, which was due on March 2, 2021. *Id.* He alleges that he did not receive notice of the order, which was entered on February 16, 2021, until February 18, 2021 and that due to COVID restrictions on law library access, he was unable to obtain access until February 24, 2021. *Id.* at 1. On that day, Petitioner alleges, he was only able to access to the library for three hours. *Id.* at 2. Given such

1 restrictions, Plaintiff requests an extension of 21 days to submit his motion for  
2 reconsideration. *Id.*

3 A court may, for good cause, extend the time by which an act must be done if a  
4 request is made before the original time expires. Fed. R. Civ. P. 6(b). According to  
5 Local Rule 7(j), “[a] motion for relief from a deadline should, whenever possible, be filed  
6 sufficiently in advance of the deadline to allow the court to rule on the motion prior to the  
7 deadline,” unless the motion is based on a “true, unforeseen emergency.” Local Rules  
8 W.D. Wash. LCR 7(j). Here, Petitioner provides good cause for an extension of time to  
9 file his response based on his limited ability to access legal resources. He also filed his  
10 request with sufficient time in advance of the deadline to allow the Court to rule on the  
11 motion. The Court therefore **GRANTS** Petitioner’s motion for an extension of time to 21  
12 days from the date of this Order.

13 DATED this 4th day of March, 2021.

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16 The Honorable Richard A. Jones  
17 United States District Judge  
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